



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5051.514DV

DATE: September 29, 2003



**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 09/862,660; filed May 21, 2001, the disclosure of which is incorporated herein by reference in its entirety.
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:

William Michael Russell, Madison Wisconsin; **Todd Robert Klaenhammer**, Raleigh, North Carolina

Entitled: **Lactobacillus β -Glucuronidase and DNA Encoding the Same**

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
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Facsimile: (919) 854-1401

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 49 pages of Specification (including 20 claims)
3. ☒ 6 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

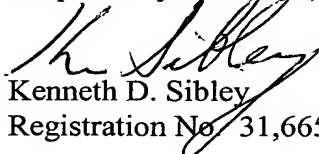
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*) **FILED IN PARENT APPLICATION**
9. ☒ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 10 references cited
11. ☒ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
- a. ☐ computer readable copy
- b. ☐ paper copy
- c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Other:

The fee has been calculated as shown below:

| | Column 1 No. Filed | Column 2 No. Extra | Small Entity Rate Fee | Large Entity Rate Fee |
|--|-----------------------|-----------------------|--------------------------|--------------------------|
| BASIC FEE | | | \$375.00 | \$ 750.00 |
| TOTAL CLAIMS | 3 - 20 = | 0 | x 09 = \$ | x 18 = \$ |
| INDEP CLAIMS | 1 - 3 = | 0 | x 42 = \$ | x 84 = \$ |
| <input type="checkbox"/> MULTIPLE Dependent Claims Presented | | | + 140 = \$ | + 280 = \$ |
| If the difference in Col. 1 is less than zero, Enter "0" in Col. 2 | | | Total \$375.00 | Total \$ |

- ☒ A check in the amount of **\$375.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☐ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☐ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV193631265US

Date of Deposit: September 29, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.


Vickie Diane Prior

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Russell, et al.
Serial No.: 09/862,660 Art Unit: 1642
Filed: May 21, 2001
For: LACTOBACILLUS β -GLUCURONIDASE AND DNA ENCODING
THE SAME

July 29, 2002

BOX MISSING PARTS
Commissioner for Patents
Washington, DC 20231

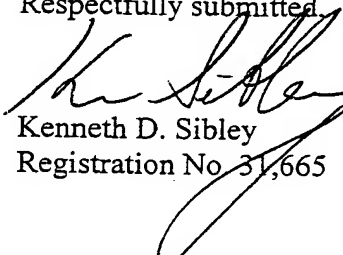
SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63

Sir:

In response to the Notice to File Missing Parts dated November 6, 2001, enclosed is a Declaration and Power of Attorney for the above-identified application which has been executed by the named inventors.

A check in the amount of \$65.00 is enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 50-0220.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

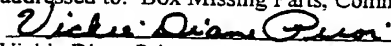


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PATENT TRADEMARK OFFICE

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on July 29, 2002.


Vickie Diane Prior


Date of Signature: July 29, 2002

CERTIFICATE OF EXPRESS MAILING

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Vickie Diane Prior